

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-000463-001 DT

05/13/2016

COMMISSIONER R. JEFFREY WOODBURN

CLERK OF THE COURT

L. Franco

Deputy

STATE OF ARIZONA

KEVIN R SMITH

v.

WILLIAM M SEE JR. (001)

DOB: 03/14/1982

RYAN MCPHIE

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

VICTIM WITNESS DIV-AG-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:33 a.m.

Courtroom 2C - South Court Tower

State's Attorney: Kevin Smith

Defendant's Attorney: Ryan Mcphie

Defendant: Present

A record of the proceedings is made digitally in lieu of a court reporter.

Count(s) 10: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 10 (as amended): False Statement (Unemployment Compensation)
Class 6 Undesignated Felony
A.R.S. § 23-785, 13-604, 701, 702, 707, 801, 802, 804, 806, 811, 12-114.01, 116.01,
116.02, 116.04, 16-954
Date of Offense: 03/03/2014
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 10 Probation Term: 3 years

To begin 05/13/2016.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION ASSESSMENT: Count 10 - \$20.00 payable on a date to be determined.

All amounts payable through the Clerk of the Superior Court.

Condition 17: Count 10: Complete a total of 40 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

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Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 1 through 9, 11 and 12.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

9:39 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER R. JEFFREY WOODBURN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)